

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MLC INTELLECTUAL PROPERTY, LLC,

Plaintiff,

v.

MICRON TECHNOLOGY, INC.,

Defendant.

Case No. [14-cv-03657-SI](#)

**ORDER GRANTING IN PART AND  
DENYING IN PART MICRON'S  
ADMINISTRATIVE MOTION TO FILE  
UNDER SEAL MICRON'S  
TECHNICAL DAUBERT MOTION  
AND EXHIBIT A THERETO**

Re: Dkt. No. 421

Micron has filed an administrative motion to file under seal portions of its technical *Daubert* motion and the entirety of Exhibit A to the *Daubert* motion. Micron states that the material at issue consists of (1) portions of the motion which discuss sensitive technical information regarding Micron's products; (2) portions of the motion containing "quotations or characterizations" from the deposition transcript of Mr. Gerald Banks; and (3) Exhibit A, which is the entire transcript of Mr. Banks' deposition.

MLC's declaration in response to Micron's administrative motion states that MLC designated Mr. Banks' deposition transcript as "Highly Confidential – Attorneys' Eyes Only" because confidential exhibits were introduced during Mr. Banks' deposition and he was questioned about those documents. Horton Decl. ¶ 4 (Dkt. No. 440). MLC states that it does not assert that any of the portions of the motion which quote from or characterize Mr. Banks' deposition testimony should be filed under seal, nor does MLC believe that the cited portions of Mr. Banks' deposition testimony should be filed under seal. MLC does object to the filing of the entire deposition transcript as an exhibit.

The Court GRANTS the administrative motion as follows: the excerpts which discuss

1 confidential technical information about Micron's products may be filed under seal (e.g., excerpts  
2 at page 5:18-22 and 7:15-16). However, any excerpt relating to Dr. Banks' deposition shall be filed  
3 in the public record, and Micron shall file as Exhibit A only those portions of the Banks' transcript  
4 that are cited in the motion (also in the public record). Finally, there is nothing confidential about  
5 Dr. Lee's opinions at pages 10:13-14 or 13:16-17 of the motion.

6 Micron shall re-file the motion and exhibit in accordance with this order.

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8 **IT IS SO ORDERED.**

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10 Dated: April 25, 2019



11 SUSAN ILLSTON  
12 United States District Judge  
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